

Patent Application Serial No. 10/540,275

REMARKS

The formal amendments' new terminology is supported in the amended specification. The new claims are supported at pages 11/12. The new claims are patentable for the reasons below.

In response to the outstanding Office Action:

(1-3) The claims and specification are objected to. The errors asserted by the Examiner are corrected, and withdrawal of the objection is requested.

(4-5) Claims 1-7 are rejected under 35 U.S.C. §102(b) as being anticipated by Lemense et al., US 5,958,081. This rejection is respectfully traversed.

Lemense does not use the word "engine" and it does not disclose a remote engine start, as is claimed. Lemense does not anticipate the amended claims.

The Examiner states that "the rejection is made to the extent that the claims are understood, by considering those elements which are understood" (page 4, ¶ 5). Thus, the Examiner apparently did not consider all of the claim features, in particular, the theft modes described as "vague" at page 2, line 7. For the record, the Applicants note that there is no rejection under § 112 and therefore the claims should have been examined in their entirety. However, the assertedly vague language is now removed from the original claims. Any lack of examination is traversed in regard to the new claims, that recite the features. The claimed "plurality of theft modes" are described in the specification at pages 11/12. (For the record, "part of the theft modes" is submitted to be clear in meaning: the meaning of a "part" of a plurality of integral things is submitted to have only one possible interpretation, namely, a subset as the Examiner suggests.)

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In view of the aforementioned amendments and accompanying remarks, the application is submitted to be in condition for allowance, which action is requested.

Respectfully submitted,

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I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office (Fax No. (571-273-8300) on June 29, 2010.

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Signature *Nick Bromer*